

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled PROTEIN AND GENE INVOLVED IN MYOCYTE DIFFERENTIATION, the specification of which:

- ☐ is attached hereto.  
☒ was filed on October 6, 2000 as Application Serial No. 09/684,579 and was amended on \_\_\_\_\_.  
☐ was described and claimed in PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>U.S. Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
PCT/JP99/01913	April 9, 1999	Pending

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

<u>Country</u>	<u>Application No.</u>	<u>Filing Date</u>	<u>Priority Claimed</u>
Japan	10/115975	April 10, 1998	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

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**Combined Declaration and Power of Attorney**

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

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Inventor's Signature: *Renji Wadatiwa*

Date: Feb 8, 2001

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Page 3 of 3 Pages

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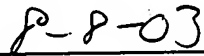
Date: 23.2.2001

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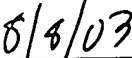
## RECORDATION FORM COVER SHEET PATENTS ONLY

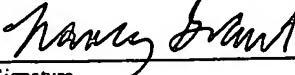
Commissioner for Patents: Please record the attached original document(s) or copy(ies).	
1. Name of conveying party(ies):  Chugai Research Institute for Molecular Medicine, Inc.  Additional name(s) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Name and address of receiving party(ies):  Chugai Seiyaku Kabushiki Kaisha 5-1, Ukima 5-chome, Kita-ku Tokyo 115-8543, Japan  Additional names/addresses attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other:  Execution Date: 10/17/2001; 10/18/2001	
4. Application number(s) or patent number(s): If this document is being filed with a new application, the execution date of the application is: A. Patent Application No(s): 09/684,579 B. Patent No(s):  Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5. Name/address of party to whom correspondence concerning document should be mailed:  JANIS K. FRASER, PH.D., J.D. Fish & Richardson P.C. 225 Franklin Street Boston, MA 02110-2804	6. Total number of applications/patents involved: 1  7. Total fee (37 CFR §3.41): \$40 <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to charge Deposit Account.  8. Deposit Account No.: 06-1050 Please apply any additional charges, or any credits, to our Deposit Account No. 06-1050.
DO NOT USE THIS SPACE	
9. Statement and Signature: <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i>	
Janis K. Fraser, Ph.D., J.D. Reg. No. 34,819 Name of Person Signing	 Signature
	 Date
Total number of pages including coversheet, attachments and document: 3	

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### CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Mail Stop Assignment Recordation Services, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Date of Deposit

  
Signature

Nancy Grant  
Typed Name of Person Signing Certificate

**PATENT ASSIGNMENT**

WHEREAS, CHUGAI RESEARCH INSTITUTE FOR MOLECULAR MEDICINE, INC., a corporation of Japan having a place of business at 153-2, Nagai, Niihari-mura, Niihari-gun, Ibaraki 300-4101 Japan ("ASSIGNOR"), is the owner of the entire right, title and interest in and to United States patent application Serial No. 09/684,579, filed October 6, 2000 ("PATENT APPLICATION").

WHEREAS, CHUGAI SEIYAKU KABUSHIKI KAISHA, a corporation of Japan having a place of business at 5-1, Ukima 5-chome, Kita-ku, Tokyo 115-8543 Japan ("ASSIGNEE"), is desirous of obtaining the entire right, title and interest in and to the PATENT APPLICATION.

NOW, THEREFORE, in consideration of One dollar (\$1.00) and other good and valuable considerations paid by ASSIGNEE to ASSIGNOR, the receipt of which are hereby acknowledged, ASSIGNOR hereby sells, assigns and transfers to ASSIGNEE, its successors and assignees, the entire right, title and interest in and to the PATENT APPLICATION.

ASSIGNOR agrees for itself and its successors, legal representatives and assigns, without further compensation, to perform such lawful acts and to sign such further applications, assignments, Preliminary Statements and other lawful documents as the ASSIGNEE may reasonably request to effectuate fully this Assignment.

IN TESTIMONY WHEREOF, ASSIGNOR has caused this Assignment to be executed by its duly authorized officer.

CHUGAI RESEARCH INSTITUTE FOR MOLECULAR MEDICINE, INC.

By: Tetsuo Tatsumi  
Tetsuo TATSUMI

Title: President

Date: 17th, October, 2001

ASSIGNEE hereby acknowledges receipt of the entire right, title and interest in and to the PATENT APPLICATION.

CHUGAI SEIYAKU KABUSHIKI KAISHA

By: Masao Haruna  
Masao HARUNA

Title: Head. Patent Section, Intellectual  
Property Department

Date: 18. OCT. 2001